

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Terrance P. SNUTCH et al.

Application No.: 10/821,584

Confirmation No.: 1902

Filed: April 9, 2004

Art Unit: 4131

For: CALCIUM CHANNEL BLOCKERS  
COMPRISING TWO BENZHYDRIL  
MOIETIES

Examiner: Geeta Kadambi

**AMENDMENT UNDER 37 C.F.R. § 1.111 /**  
**RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to a Requirement for Election of Species herein, mailed 22 May 2008, setting a time for response of 22 June 2008. All of claims 1-17 are being considered, but applicants have been asked to identify a specific compound and a specific disease. Applicants understand rejoinder is possible once a generic claim is allowed.

Applicants hereby elect to prosecute the species represented by the compound shown as P1 in Figure 1 wherein n<sup>1</sup> is 1, R<sup>1</sup> is CF<sub>3</sub>, and n<sup>2</sup>-n<sup>5</sup> are all 0. The elected indication is the treatment of pain. Therefore, the claims that read on this election are claims 1, 2, 6 and 10.

Examination on the merits is now requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket No. 381092000623.

Respectfully submitted,

Dated: June 23, 2008

By: \_\_\_\_\_ / Kate H. Murashige /  
Kate H. Murashige  
Registration No.: 29,959  
MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040  
Telephone: (858) 720-5112  
Facsimile: (858) 720-5125